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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/021,248

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Masanori Aritomi

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

05/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/021,248	<b>Applicant(s)</b> ARITOMI, MASANORI	
	<b>Examiner</b> RYAN F. PITARO	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-8,11-15,18-21 and 37-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-8,11-15,18-21 and 37-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/1/2008</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This communication is responsive to Amendment G, filed 2/1/2008.

### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/1/2008 has been entered.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,4-8,11-15 and 18-22 are rejected under 35 U.S.C. 103(a) as obvious over Onaga ("Onaga" US 6,266,693) in view of Heddaya et al ("Heddaya", US 6,622,157) in view of Lawrence ("Lawrence", US 6,615,207) in view of Yacoub ("Yacoub", US 6,452,692).

As per claim 1, Onaga discloses an information processing apparatus capable of communicating with a plurality of peripheral devices, said apparatus comprising: a storage device, for storing predetermined objects for the peripheral devices based on directory information (Column 1 lines 25-43); detection means, for detecting specific objects in the directory information read from said storage device, the specific objects including at least a first specific object corresponding to a first one of the plurality of peripheral devices and a second specific object corresponding to a second one of the plurality of peripheral devices (Figure 9, Column 1 lines 25- 43); display means, for displaying, in accordance with a tree list, the specific objects detected by said detection means (Figure 9); and control means, for permitting said display means to display, in accordance with the tree list, the specific objects detected by said detection means (Column 12 lines 51-64). Onaga fails to teach displaying devices in order of devices between apparatuses. However, Heddaya teaches a method such that the first specific object is displayed in preference to the second specific object if a number of other information processing apparatuses which exist between the first peripheral device and said information processing apparatus is smaller than a number of other information processing apparatuses which exist between the second peripheral device and said

information processing apparatus (Column 3 lines 65 - Column 4 lines 4). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Heddaya with the method of Onaga. Motivation to do so would have been to provide a faster response time and less network traffic. Onaga-Heddaya fails to distinctly point out preferably displaying the devices in order within a tree list. However, Lawrence, teaches displaying objects in a tree list based on preference (Column 6 lines 31-45). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Lawrence with the apparatus of Onaga-Heddaya. Motivation to do so would have been to provide a display tree relative to their respective needs. The modified Onaga fails to teach display preferences with a higher display priority for certain objects. However, Yacoub teaches displaying a list such that the closest printer is given priority and displayed at the top of the list (Column 15 lines 12-18). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Yacoub with the modified method of Onaga. Motivation to do so would have been to alleviate the user of determining which printer is closest to send the job to.

As per claims 4, Onaga-Heddaya-Lawrence-Yacoub teaches an information processing apparatus, wherein said control means performs the sorting for an object display, so that the specific object is displayed at a higher location on a list (Onaga, Column 12 lines 51-64, Figure 9, Yacoub Column 15 lines 12-18).

As per claim 5, Onaga-Heddaya-Lawrence-Yacoub teaches an information processing apparatus according to claim 1, wherein, when the specific objects detected by said detection means are to be displayed on said display means in accordance with the tree list, and when one of the specific objects cannot be referred to directly due to access right limitations, said control means does not permit said display means to display that one specific object, and wherein, when each one of the specific objects is unable to be referred to directly due to access right limitations, said control means permit said display means to display a higher object for which there are no access right problems (Onaga, Column 10 lines 1-54).

As per claim 6, Onaga-Heddaya-Lawrence-Yacoub teaches a tree structure in which the specific objects include an object for a printer device (Onaga, Figure 9).

As per claim 7 Onaga-Heddaya-Lawrence-Yacoub teaches an information processing apparatus, wherein the specific objects include an object for a compound device including a printer function (Onaga, Column 2 lines 26-34).

Claims 8,15 are individually similar in scope to claim 1, and are therefore rejected under similar rationale.

Claim 11 and 18 are individually similar in scope to claim 4 and are therefore rejected under similar rationale.

Claims 12 and 19 are individually similar in scope to claim 5, and are therefore rejected under similar rationale.

Claims 13 and 20 are individually similar to scope to claim 6, and are therefore rejected under similar rationale.

Claims 14 and 21 are individually similar to scope to claim 7, and are therefore rejected under similar rationale

As per claim 22, Onaga-Heddaya-Lawrence-Yacoub teaches a computer readable storage medium (Onaga, Column 4 lines 40 -65) for storing the control program.

Claims 37-39 are individually similar to scope to claim 1, and are therefore rejected under similar rationale

### ***Response to Arguments***

Applicant's arguments filed 2/1/2008 have been fully considered but they are not persuasive.

Applicant argues that Heddaya fails to teach "number of other information processing apparatuses which exist between the first peripheral device and the client", however, the teaching of preference by Heddaya is directly applicable to the present invention by choosing a server node that is closest to the client device. When combined with the printer proximity of Yacoub the Examiner believes that one skilled in the art would lead one skilled in the art to combine the two references to provide a faster response time with less network traffic. So while Heddaya may not use printers, Heddaya still provides an advantage for clients to produce these sought after quick response times. Numbers of hops and distance reads directly on "other information processing apparatuses", since other apparatuses can be devices calculated in a hop count, i.e. router.

Lawrence teaches tree listing based on preferences, and can provide that advantage to any list. Therefore a person of ordinary skill in the art would combine Lawrence with other references at least for the listing advantages.



### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN F. PITARO whose telephone number is (571)272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. F. P./  
Examiner, Art Unit 2174

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/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174